

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

December 5, 2003

Minutes of the regular City Council meeting held Wednesday, December 3, 2003 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Dowling presided.

Presentation - Public Safety Departments

Public Hearing - Inclusion of the City of Augusta in the State of Maine Pine Tree Zone Development Program
(Order 153)

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

149 BE IT ORDAINED, By the City Council of the City of Augusta, Maine, that the following text amendment be made to the Land Use Ordinance:

That a typographical error in Section 5.1.14.2 of the Land Use Ordinance be corrected by deleting the phrase "See Section 3.5.6" and replacing it with the phrase "See Section 3.5.7".

Yeas: 8; Sotir, Doore, Veilleux, Foster,
O'Brien, Davis, Koski, Lund

Nays: 0

NEW BUSINESS

HAS BEEN READ AND PASSED, AS AMENDED

153 ORDERED, That the following language required for inclusion in the State of Maine Pine Tree Zone Program be adopted by the City Council:

To authorize and designate the Kennebec Valley Council of Governments, 17 Main Street, Fairfield, Maine 04937, a Regional Council organized pursuant to 30-A MRSA Section 2301, incorporated in Maine as a Nonprofit Corporation pursuant to 13 MRSA C. 81 on March 2, 1994 and designated as a Regional Planning and Development District covering

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED, AS AMENDED (Con't)

153 Continued

Kennebec, Somerset and western Waldo Counties by Executive Order, to act on the municipality's behalf for the purpose of applying for the designation of certain parcels in the municipality described below along with parcels from other municipalities to be included in a Pine Tree Development Zone (PTDZ) pursuant to 30-A MRSA c 206, sub-c 3.

To include in the application, all or a portion of the following parcel(s):

<u>Name</u>	<u>Address</u>	<u>Map</u>	<u>&</u>	<u>Lot</u>	<u>Number</u>
North Augusta Trust	Ludger Drive (#6)	M1		L211	
North Augusta Trust	Ludger Drive (#7)	M1		L212	
North Augusta Trust	Ludger Drive (#8)	M1		L213	
North Augusta Trust	Ludger Drive (#10A)	M1		L214	
North Augusta Trust	Ludger Drive (#9A)	M1		L215	
Augusta Board of Trade	Gabriel Drive	M1		L228	
SCI	500 Civic Center Dr.	M1		L38	
CMP	Civic Center Drive	M1		L38a	
CMP	Civic Center Drive	M1		L38b	
Cecil Quimby	Civic Center Drive	M1		L37	
Cecil Quimby	443 Civic Center Dr.	M5		L29	
John Quimby	455 Civic Center Dr.	M5		L29a	
Steve Quimby	Civic Center Drive	M5		L29b	
Conley-Liscomb	435 Civic Center Dr.	M5		L30	
Theodore White	419 Civic Center Dr.	M5		L31	
Elks	397 Civic Center Dr.	M5		L32	
Cyr Investments	402 Civic Center Dr.	M5		L120	
Gloria Bibeau	412 Civic Center Dr.	M5		L121	
Cecil Quimby	Civic Center Drive	M5		L122	
Gloria Bibeau	Civic Center Drive	M5		L123	
Gary Hagan	442 Civic Center Dr.	M5		L124	
Cecil Quimby	Civic Center Drive	M5		L125	
State Farm	9 Industrial Drive	M5		L204a	
Depot Properties	55 Industrial Drive	M5		L207	
Norman Allen	Industrial Drive	M5		L209	
Harper's North LLC	33 Civic Center Dr.	M79		L14	
Patenaude	380 Civic Center Dr.	M79		L19	
Allen	661 Leighton Road	M79		L18	
Allen	360 Civic Center Dr.	M79		L17	
Pomerleau	352 Civic Center Dr.	M79		L16	
Seltzer & Rydholm	80 Anthony Avenue	M5a		L50	
McCarthy	15 Darin Drive	M5a		L53	

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED, AS AMENDED (Con't)

153 Continued

Board of Trade	Darin Drive	M5a	L52
RD Maine Realty	60 Darin Drive	M5a	L56
Webber Energy	68 Darin Drive	M5a	L57
Brake Service	72 Darin Drive	M5a	L57a
Wesco Real Estate	60 Anthony Avenue	M5a	L58
Energy East Foundation	83 Anthony Avenue	M5a	L66a
City of Augusta (Quimby)	Oakland Road	M5	L109
Aug. Bd. of Trade	North Belfast Ave.	M7	L4

To affirm that the use of these sites is regulated by a municipal zoning or other land use regulation ordinance or is determined otherwise by the municipality to be suitable for the use and development for one or more of the qualified business activities specified in the Pine Tree Development Zone statute, 30-A MRSA c 206, sub-c. 3.

To maintain at least one pre-permitted construction and or development site among these parcels on a continual basis throughout the term of the zone designation but only to the extent that property so designated remains available for development.

To authorize the Kennebec Valley Council of Governments to administer the PTDZ on behalf of this and the other municipalities joining in the PTDZ application pursuant to a plan to be adopted by the participating municipalities that provides for an independent PTDZ Board of Directors to make policy and provide direction regarding administration of the PTDZ with one voting member to be selected by each participating municipality.

To adopt a Development Plan as part of the PTDZ application which plan will include: (1) Documentation of all municipal commitments regarding suitability of use for PTDZ purposes as set forth above; (2) A description of how the Pine Tree Development Zone will be administered; (3) A description of the resources to be applied to the implementation of the Pine Tree Development Zone by the applicant municipalities and other entities; (4) A description of the goals and objectives to be accomplished through the Pine Tree Development Zone; and (5) A plan for accomplishing the goals and objectives, including a marketing plan and related time line and milestones. 30-A MRSA 5247(4)(E) 1-5.

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED, AS AMENDED (Con't)

153 Continued

To agree that the municipality will not attempt to use the PTDZ or its benefits to attract business investment away from other existing or proposed locations within the state.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
O'Brien, Davis, Koski, Lund

Nays: 0

HAS BEEN READ AND PASSED

151 ORDERED, That minutes of the City Council meetings held November 10 and 17, 2003 submitted by the Acting City Clerk be approved.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
O'Brien, Davis, Koski, Lund

Nays: 0

152 ORDERED, That the tabulation results for the Special Municipal Election held December 2, 2003 submitted by the Acting City Clerk be and hereby certified.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
O'Brien, Davis, Koski, Lund

Nays: 0

154 ORDERED, That the City Manager is authorized to execute a quitclaim deed to Frank X. Pomerleau releasing the reserved right to use a portion of real property sold by the City of Augusta to Frank X. Pomerleau in a deed dated October 11, 1971 and recorded at Book 1563, Page 693 Kennebec County Registry of Deeds.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
O'Brien, Davis, Koski, Lund

Nays: 0

Respectfully submitted,

Linda Veilleux
Acting City Clerk